

To write a Subcontract:

1. Review subcontract checklist.
2. Determine what requirements/needs are applicable.
3. Subcontractors are subject to same conditions as fiscal agency.
4. Submit “DRAFT” documents only.

## **SUBCONTRACT REVIEW CHECKLIST**

Subcontractors are held to the same requirements as the Provider. This requirement is defined in the contract between the Division and the Provider. A suggested list of items that should be addressed in a subcontract:

1. Contract is in writing with all terms in one instrument and names all parties involved and responsibilities of both.
2. Signature line and date line for authorized representatives of all parties.
3. Beginning and Ending date identified. Contract period not in excess of 12 months. Contract period coincides with period of funding allocation.
4. Contract Administrators and Addresses for both parties.
5. Provision for terminating the contract either by mutual consent or by 30 days written notice to the other party. The termination clause should include provisions that in the event reimbursement to the Contractor is reduced or terminated the same reduction or termination will follow through to the Subcontractor.
6. Provision for amending the contract should changes be required by the Division and/or the Provider. Changes would include, but not be limited to, changes in the scope of services, total amount of the contract, etc.
7. Description of the services/activities to be provided includes objectives.
8. Maximum amount of reimbursement allowable during the contract period. Payment procedures and billing procedures should also be defined.
9. Budget present, if required (for Total Cost subcontracts only).
10. Audit requirements, if applicable
11. Provision to include the following:
  - a. assurance of civil rights compliance;
  - b. confidentiality safeguards;
  - c. requirement to meet applicable and federal standards;
  - d. compliance with the Americans with Disabilities Act of 1990;
  - e. compliance with Section 504 of the Rehabilitation Act of 1973;
  - f. access to records;
  - g. sub-contracting;
  - h. liabilities;
  - i. conflict of interest, if applicable;
  - j. independent contractor liability statement, if applicable;
  - k. insurance requirements;
  - l. copyright requirements;
  - m. Year 2000 requirements, if applicable;
  - n. care of property.

ATTACHMENTS TO SUBCONTRACTS:

12. Lobbying, Debarment, Environmental Tobacco Smoke and Drug Free Workplace and Conflict of Interest Policy forms for signature , if applicable. (Lobbying and Debarment and Drug Free Workplace forms are required for all Providers except Federal Agencies. Environmental Tobacco Smoke is required if applicable for federal funds The conflict of interest form is required for all private non profit agencies, regardless of funding source.)
13. Tax exempt status letters from IRS. (Required for all Private Not-for-Profit agencies.)